

<b>Committee(s)</b>	<b>Dated:</b>
Committee name. Epping Forest and Commons Committee	13.9.2021
<b>Subject: The Commons Events Policy (Part 2) - proposed amendments</b>	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>1,2, 11,12</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>Y/N</b>
<b>If so, how much?</b>	<b>£0</b>
<b>What is the source of Funding?</b>	<b>NA</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>NA</b>
<b>Report of: The Director of Open Spaces</b>	<b>For Decision</b>
<b>Report author: Andy Barnard</b>	

### **Summary**

The Commons Division, like many of the City Corporation's Open Spaces, has a history of hosting public events on the portfolio of sites.

The Open Spaces Department Events policy (Part 1) was approved by the Open Spaces and City Gardens Committee on 16 April 2018.

In November 2018 your Committee approved a specific Events policy (Part 2) for The Commons to reflect the increasing volume and complexity of event requests being considered at that time, as well as to address the new opportunities and obligations under the City of London Corporation (Open Spaces) Act 2018. This policy ensures that events are properly managed; the impact of any event on the open space, areas under statutory protection and adjoining communities are minimised and the costs of hosting the event are properly reflected in any licence fee.

Since that approval five of the sites (Kenley Common, Riddlesdown, New Hill, Farthing Downs and Coulsdon Common) have become part of the new South London Downs National Nature Reserve. This recent and additional status is not reflected in the current Part 2 Events policy leaving them vulnerable to potential harm. It has also become apparent that the existing Part 2 policy could be further improved to provide greater consistency across all of the Open Spaces within the Commons Division, the large majority of which now hold NNR status.

### **Recommendation(s)**

**I recommend that:**

- i. Members approve the amended Events policy (Part 2) for the Division **i.e. Option 1.**

## Main Report

### Background

1. In recognition of the differing characteristics of the open spaces assets managed by the City of London Corporation, an Open Spaces department wide policy framework was developed in collaboration with officers from all Divisions. The framework provides a 'Part 1' and 'Part 2' approach to event management.
2. Part 1 is the overarching policy (The Open Spaces Events policy). This sets out the broad principles to protect the environment and character of each distinct site from the pressure of events, whilst recognising the value and amenity events can bring to the spaces. This policy was approved by the Open Spaces and City Gardens Committee in April 2018 and sits outside of this report.
3. More detailed site-specific policies, with associated charges, were developed by The Commons to create 'The Commons Open Spaces Events policy (Part 2)'. This policy provides local detail and was approved by your Committee in November 2018. It is this policy that has been reviewed in part and can be found in its original form as **Appendix 1**.
4. The Commons has a strong history of hosting public events on the portfolio of sites including sporting, community and charity events. A policy is necessary to ensure that a fair and transparent system exists for decision making and to regulate the number, type and frequency of events that can take place. Such regulation is also particularly important given the growing environmental sensitivity of the sites and the statutory protections for nature and heritage conservation. The policy also helps to minimise the impact of such events on other site users.

### Current Position

5. Since the approval of the original Pt 2 Events policy, five of the sites (Kenley Common, Riddlesdown, New Hill, Farthing Downs and Coulsdon Common) have become part of the new South London Downs National Nature Reserve. This new and important status is not reflected in the current Events Policy.
6. It has also become apparent that the Part 2 policy could be further improved in terms of providing greater consistency and clarity across the Division.
7. Your Superintendent has carried out a review of the current Part 2 policy and recommends changes to the existing 'conditions' as outlined for each site. See 'Table of proposed changes' - Appendix 2.
8. This review has led to a series of recommended changes designed to:
  - Reflect the creation of the South London Downs NNR and that status.
  - Provide a more consistent approach to the licensing and management of events across the Commons division thus making the management of events easier to administer.

- Provide a clearer, more consistent approach to potential event organisers wishing to use The Commons. This includes the recent introduction of car park charges at Farthing Downs and Riddlesdown Common and the move to 7 day a week charging at Burnham Beeches.
9. This process has led to the specific conditions at each site being re-drafted so that they are easier to comprehend to the casual reader and more similar in terms of the necessary conditions that apply, thus simplifying the decision making and administration process.

## **Proposals**

### **Option 1. This is the recommended option.**

- i. Approve changes as set out in Appendix 2. This will provide greater clarity, consistency and control of inappropriate events across the Division both for your officers and event organisers.
- ii. Should these changes be approved then the Pt 2 Policy document will be refreshed to make the changes permanent..

### **Option 2. This option is not recommended.**

- i. Retain the current Part 2 Events policy unchanged. The policy will leave the sites vulnerable to events that do not properly recognise their status particularly in terms of frequency and scale<sup>3</sup>. These are hard to resist in 'current state'. The introduction of car park charges would also remain silent.

## **Strategic implications.**

10. The Open Spaces and site-specific events policy framework helps deliver two aims of the Corporate Plan 2018-23, to;
- Contribute to a flourishing society.
  - Shape outstanding environments.

It also delivers the Open Spaces Department Business Plan top line objectives:

- Open spaces and historic sites are thriving and accessible
- Spaces enrich people's lives
- Business practices are responsible and sustainable

## **Financial implications.**

11. Charging provides a method of regulating the number of events and activities that take place on the sites of The Commons. Your Committee approves the scale of charges for events each year. The changes contained within this proposal are cost neutral and allow unsuitable events to be rejected more efficiently. The scale of hire charges for events remains unchanged and will continue to be benchmarked, where available, with neighbouring local authorities. The charges cover the administration and consideration of the event by officers but also raise revenue for re-investment and maintenance of The Commons.

## **Resource implications.**

12. Event related administration and decision making is made more consistent by the proposed changes thus easing the burden of work on local officers.

### **Legal implications.**

13. The creation of an Events Policy is a requirement of the City Of London Corporation Open Spaces Act, 2018.

### **Charity implications.**

14. Ashtead Common, Burnham Beeches & Stoke Common and West Wickham & Spring Park and the Coulsdon Commons are registered charities (numbers 1011510, 232987, 232988 and 232989 respectively). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

### **Risk implications.**

15. Given that the proposed changes are relatively minor, will provide consistency, clarify decision making and aid the protection of the NNR's, it is considered that any risk implications are minor.

### **Equalities implications.**

16. An Equalities Test of relevance has been undertaken and found that the proposals will not have negative impacts on protected characteristics. **Appendix 3.**

### **Climate and Environmental implications.**

17. The recommended changes help to ensure that each sites is as resilient as possible to the impacts of climate change given the requirement to provide recreational opportunities to the general public. The number, type, frequency and location of events will continue to be considered for every application to ensure the ecology and conservation status of the sites are not harmed. In addition, for events that may be considered by type, size or scale to have the potential for adverse impacts on the Site of Special Scientific Interest (SSSI), National Nature Reserve (NNR) or Special Area of Conservation (SAC) consent would also be sought from Natural England.

### **Conclusion**

18. The Commons frequently receives applications to hold events. The proposals amendments to the Part 2 policy creates a more consistent, fair, accurate and transparent system for assessing these applications by regulating their number, location and frequency whilst minimising nuisance to other site users. The proposed changes also ensure that the climate resilience, conservation and ecological value of the sites are maintained.

### **Appendices**

- Appendix 1. Open Spaces Event Policy Part 2 – The Commons site-specific Policy
- Appendix 2. Table of proposed changes
- Appendix 3. Equalities Test of Relevance

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